

Freedom of the Press

Press freedom conditions deteriorated in 2013, placing Iraq among the most deadly countries for the media, with at least 10 journalists killed in connection with their work during the year. Reporters also suffered frequent detentions, beatings, and confiscation of equipment, as well as poor legal protections in terms of both upholding their rights and obtaining justice for violence perpetrated against them.

Iraq's constitution protects freedom of speech and expression, but vague and often overlapping laws govern the media. The 1968 Publications Law allows journalists to be imprisoned for up to seven years for insulting the government, and the 1969 Penal Code criminalizes libel and defamation. At year's end, at least 10 journalists faced criminal charges for defamation under Article 314 of the penal code, which provides penalties of up to one month in prison or a fine of up to \$215. In 2010, the Supreme Judicial Council created a special court to prosecute journalists, despite a ban on the creation of special courts in Article 95 of the constitution. In October 2013, the Court for Media and Publications sentenced a journalist to three days in prison for writing an article that accused government housing authorities of corruption. The 2011 Journalist Protection Law initially offered some hope of reform by safeguarding free speech, providing benefits to journalists who are killed or injured on the job, and abolishing the requirement that they belong to the journalists' union. While the law represented a positive step, media watchdog groups complained that it was ambiguous and narrowly defined who constituted a journalist; it also did not override sections of the penal code or the publications law that pertain to journalists. The Society for Defending Press Freedom in Iraq challenged the law, but the Federal Supreme Court upheld its constitutionality in 2012.

In January 2013, the controversial Information Technology Crimes Bill was withdrawn from consideration by the parliament. The draft law would have included harsh punishments such as life imprisonment for using computers to adversely affect the "unity" of the country or its economic, political, military, or security interests. A second draft bill called the Law on Freedom of Expression, Assembly, and Peaceful Protest would, among other prohibitions, ban press statements "inconsistent with public order or morals," but this bill had not been passed at year's end.

In the semiautonomous region of Kurdistan, the Kurdistan Press Law protects the right of journalists to obtain information "of importance to citizens" and "relevant to the public interest." The law also requires officials to investigate incidents in which journalists are injured or killed as a result of their work. However, few journalists' deaths have been investigated. Public officials regularly use the region's penal code to sue journalists for libel, usually for stories about corruption. According to the local advocacy group the Metro Center to Defend Journalists, hundreds of court cases are filed against journalists each year, charging them with, among other things, defamation or vaguely defined offenses such as insulting religion. In October 2013, the newspaper *Awene* and its former editor in chief, Shwan Mohammed, were both fined after the paper published a photograph in 2009 of a politician at a nightclub in London.

Iraq has no national law guaranteeing access to government information, and in practice official information is difficult for journalists to obtain. The Kurdish regional government enacted a Right of Information Law in June 2013 that, although positive, left room for improvement regarding procedures for information requests and appeals.

The primary body responsible for regulating broadcast media, the Communications and Media Commission (CMC), is seen to be under government control. In April 2013, the CMC suspended the licenses of 10 television channels, including Qatar-based Al-Jazeera, for “unprofessional coverage” amid accusations that their reporting was inciting sectarian violence. Most of the suspended stations were locally based and had ties to Sunni politicians. The suspensions were lifted in June, but the stations continued to be harassed by authorities throughout the year. In July, the CMC demanded exorbitant new licensing fees from some independent radio stations to allow them to continue broadcasting. In September, Al-Baghdadiya television had its office raided and transmitting equipment confiscated by officials, reportedly after the station aired a news segment that was critical of the Interior Ministry.

Reporters are regularly prevented from covering sensitive stories or denied access to officials and news events. In addition, self-censorship among journalists remains widespread due to fear of reprisals in the form of deadly violence or criminal libel suits.

Journalists face regular threats and physical harassment from both state and nonstate actors, and Iraq had one of the world’s highest murder rates for journalists in 2013. The northern town of Mosul was an especially dangerous city for members of the press: In October, gunmen killed Al-Sharqiya cameraman Mohammed Ghanem and correspondent Mohammed al-Badrani while they were filming Eid al-Adha holiday preparations; also that month, gunmen shot and killed Bashar al-Nuaimi, a cameraman for Mosuliya TV. In November, two more journalists, Alaa Edwar and Bashar Najm, were shot dead in separate incidents in the city, and in December, unknown assailants gunned down journalists Nawras al-Nuaimi and Adel Muhsin Hussein in a pair of attacks. In other cities, radio journalist Muwaffak al-Ani was killed in a Baghdad explosion in May; the body of Zamil Ghanam al-Zoba’ie, a veteran journalist who worked for several outlets, was found in Baghdad in June; gunmen killed Wadah al-Hamdani, a television reporter in Basra, in November; and Muhanad Mohammed, a journalist for Sumariya TV, was killed in a suicide bombing in Baghdad in December. Also in December, at least five journalists were killed when suicide bombers stormed the headquarters of the Salah al-Din television station in Tikrit, north of Baghdad.

Other types of violence against journalists continued throughout the year. The Arab Network for Human Rights Information logged dozens of incidents in which men allegedly affiliated with the security forces assaulted and detained journalists from various media outlets. In April 2013, an armed group attacked the offices of four separate newspapers, destroying equipment and assaulting employees. In May, the brother of an Iraqi reporter for Agence France-Presse was briefly kidnapped and reportedly warned by his abductors to tell his brother to stop covering corruption in Anbar province. In another incident, an Algerian photographer working for the French publication *Le Monde Diplomatique* was detained for 23 days after photographing a location that authorities said was restricted. He was later accused of failing to register as a journalist as required by the Journalist Protection Law.

In Kurdistan, physical attacks during 2013 included the murder of Kawa Germyani, a prominent Kurdish magazine editor investigating government corruption, who was shot dead in Sulaymaniyah in December. In February, a bomb exploded over the offices of an independent news channel, Nalia Radio and Television, a day after it aired criticism of Mustafa Barzani, former leader of the Kurdistan Democratic Party.

The identities and motives of the assailants have remained unclear in most cases. In the December attack on the Salah al-Din television station, the Interior Ministry confirmed that security camera footage identified the killers, but no arrests were reported. In Kurdistan, security forces arrested seven people and issued an arrest warrant for an eighth following Germyani’s murder; six of the suspects were later released, and a trial was still pending at year’s end. The lack of prosecution in most cases has resulted in a climate of impunity.

Hundreds of privately owned television, radio, and print media outlets have opened since the regime of

Saddam Hussein was overthrown in 2003, producing content in Arabic, Kurdish, Syriac, Turkmen, and other languages. However, political parties and ethnic groups fund most media outlets, and journalists often cover political events from the point of view of a particular group, blurring the distinction between news and commentary. The government controls the Iraqi Media Network, a holding company that owns Al-Iraqiya television, Republic of Iraq Radio, and the newspaper *Al-Sabah*. Satellite dishes are legal, and as many as 97 percent of homes in Iraq have a dish. More than 30 satellite networks transmit into Iraq, including Al-Sharqiya, an Iraqi-owned station that broadcasts from Dubai; Qatar-based Al-Jazeera; and the Saudi-owned Al-Arabiya.

Advertising revenues alone are too small to sustain Iraq's private media, and advertising with no editorial demands attached makes up only a small fraction of a typical outlet's revenue. The government shapes the editorial content of some outlets by manipulating public advertising or pressuring private advertisers. Journalists have also reportedly slanted the news in return for bribes from officials, who offer money, land, and other rewards.

The internet operates without government restriction, and usage has steadily increased since 2003. A growing number of Iraqis turn to digital and social media to spread information and consume news. However, poor infrastructure and sporadic access to electricity have made Iraq's penetration rate for terrestrial internet access one of the lowest in the region. Instead, the majority of Iraqis who use the internet access it through wireless technology. The internet penetration rate stood at only 9.2 percent in 2013

2014 Scores

Press Status

Not Free

Press Freedom Score

(0 = best, 100 = worst)

69

Legal Environment

(0 = best, 30 = worst)

23

Political Environment

(0 = best, 40 = worst)

30

Economic Environment

(0 = best, 30 = worst)

